

Public Chapter 256

HOUSE BILL NO. 267

By Representatives Curtiss, Godsey, John DeBerry

Substituted for: Senate Bill No. 198

By Senator Cooper

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, Part 5, relative to sexual offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is amended by adding the following as a new section:

Section____. (a) Sexual battery by an authority figure is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by all of the following circumstances:

(1) The victim is thirteen (13) years of age or older but less than eighteen (18) years of age; and

(2) The defendant at the time of the offense had supervisory or disciplinary power over the victim by virtue of the defendant's legal, professional or occupational status and used such power to accomplish the sexual contact.

(b) Sexual battery by an authority figure is a Class C felony.

SECTION 2. Tennessee Code Annotated, Section 39-13-501, is amended by deleting from the first sentence the word "The" and substituting instead the language "Except as specifically provided in § 39-13-505, the".

SECTION 3. Tennessee Code Annotated, Section 39-13-505, is amended by adding the following new subsection (b) and by relettering present subsection (b) accordingly:

(b) As used in this section, "coercion" means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future.

SECTION 4. This act shall take effect on July 1, 1997, the public welfare requiring it.